



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

45

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/772,334 | 02/06/2004 | Masayuki Ezawa | 1248-0698P | 4508 |
| 2292 | 7590 | 02/05/2008 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | | PHILIPPE, GIMS S |
| ART UNIT | | PAPER NUMBER | | |
| 2621 | | | | |
| NOTIFICATION DATE | | | DELIVERY MODE | |
| 02/05/2008 | | | ELECTRONIC | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

| Office Action Summary | Application No. | Applicant(s) | |
|------------------------------|------------------------|---------------------|--|
| | 10/772,334 | EZAWA, MASAYUKI | |
| Examiner | Art Unit | | |
| Gims S. Philippe | 2621 | | |

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 14 November 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15, 17 and 18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15, 17-18 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application

6) Other: ____ .

Response to Amendment

1. Applicant's amendment received on November 14, 2007 has been fully considered and entered, but the arguments are moot in view of the new ground (s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

4. Claims 14-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: transversal w/n-line; x-longitudinal h line. The limitations of the claims are incomplete since the phrases calling

for the limitations are incomplete. For example, claim 14, line 5, the claim calls for "n-eye type has a resolution of. The words between parenthesis are not considered as part of the claims.

Claim 15 is rejected by dependency to claim 14.

Since the claims are indefinite, they will be rejected as best understood by the Examiner.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-13 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurahashi et al. (US Patent no. 5937212).

As per claims 1-2, 7, Kurahashi discloses an image processing apparatus, comprising a reduction calculation means for reducing the number of a plurality of input image data, corresponding to a plurality of images that satisfy azimuth difference relations each other, in a lateral direction, respectively (See fig. 1, items 1a and 2a, col. 2, lines 18-29, and col. 4, lines 51-58); three-dimensional processing means for combining the image

data that have been reduced the number by the reduction calculation means so as to prepare a three-dimensional image data (See col. 6, lines 33-42), switching means for switching and selecting which one of three-dimensional image data prepared by the three-dimensional processing means and two-dimensional image data prepared by using one of the plurality of input image data should be outputted (See col. 7, lines 30-38).

As per claim 9-10, the limitations of these claims have been noted in the above rejection of claim 1. In addition, Kurahashi further provides pickup means for picking up the plurality of images to satisfy azimuth difference relations each other to obtain the plurality of input image data (See Kurahashi col. 6, line 67 and col. 7, lines 1-7).

As per claim 11-12, Kurahashi further discloses the display means as being of parallax barrier, and of lenticular lens type (See fig. 18, items 201-202, 208 and 211, and col. 12, lines 60-67 and col. 13, lines 1-2).

As per claims 3-4, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Karahushi further provides a first and second selectors (See fig. 32, items 268 and 269, controller 262, signal processing unit 260, and col. 21, lines 15-39).

As per claim 6, Karahashi further provides a frame memory as a storing unit (See Fig. 32, item 261).

As per claims 7-8 and 13, the limitations of this claim have been noted in the above rejection of claim 1.

As per claims 16-18, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Kurahashi further discloses using a computer to perform the processing (See fig. 18, items 208, 211 and 210).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gims S Philippe
Primary Examiner
Art Unit 2621

GSP

January 31, 2008